

**52.XX RESIDENTIAL AGED CARE FACILITY**

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Provision

**Purpose**

To facilitate the development of Residential aged care facilities.

To recognise that Residential aged care facilities have a different scale and built form to the surrounding neighbourhood.

To ensure Residential aged care facilities do not adversely impact on the amenity of adjoining neighbours.

**52.XX-1 Scope**

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This clause applies to the construction of a building or the construction or carrying out of works associated with a Residential aged care facility in a:

- Neighbourhood Residential Zone
- General Residential Zone
- Residential Growth Zone
- Mixed Use Zone
- Township Zone

If a zone, overlay or schedule specifies a different requirement from any requirement in this clause, the requirements in this clause apply except where a Heritage Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or a Bushfire Management Overlay applies.

**52.XX-2 Permit requirements**

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A permit is required to construct a building, or construct or carry out works associated with a Residential aged care facility.

**52.XX-3 Requirements to be met**

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The following requirements must be met:

- A front fence within 3 metres of a street must not exceed 1.5 metres in height.
- The building height must not exceed 13.5 metres.
- Car parking must be provided at the rate of 0.3 car spaces to each lodging room.
- The site coverage, including a driveway, pedestrian path, and an area set aside for car parking, must not exceed 80 per cent of the site area.
- The following standards found at Clause 55 of this scheme:
  - B6 ‘Street setbacks’ (does not include a porte cochere.)
  - B17 ‘Side and rear setbacks’
  - B18 ‘Walls on a boundary’
  - B19 ‘Daylight to existing windows’
  - B20 ‘North facing windows’
  - B21 ‘Overshadowing open space’
  - B22 ‘Overlooking’
  - B24 ‘Noise impacts’
  - B27 ‘Daylight to new windows’
- The main entry to a building (including a porte cochere) must be designed to:
  - Have direct vehicle and pedestrian access from a street.
  - Be sheltered from the weather.

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- Have convenient pedestrian and vehicle access from on-site car parking.
- Access ways designed to the satisfaction of the relevant road authority.

### 52.XX-4 Variation to a requirement

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A permit may be granted to vary any of the requirements of Clause 52.XX-3.

### 52.XX-5 Information requirements

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An application must be accompanied by the following information as determined by the responsible authority:

- A design response which explains how the proposed development responds to the site and context description and responds to the requirements of this clause.
- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A proposed site and layout plans, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Existing levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings to be retained.
  - The location of buildings, secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Proposed levels of the site and the difference in levels between the site and surrounding properties.
  - The location and layout of all proposed buildings, habitable room windows including finished floor levels and setbacks.
  - Proposed landscaping and open space areas.
  - Proposed crossovers, driveways, onsite car parking, service and delivery areas.
  - All external storage, waste areas and services.
- An elevation plan, drawn to scale showing the height, colour and materials of all buildings and structures.
- Shadow diagrams showing proposed shadows.

### 52.XX-6 Exemption from notice and review

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An application which meets all of the requirements of Clause 52.XX-3 is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

### 52.XX-7 Decision guidelines

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Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Whether the permit requirements outlined in Clause 52.XX-3 have been met.
- How the proposed development responds to the site and context description.
- The impact of any building height above 13.5 metres, when viewed from the street and/or a side street.
- The impact of any reduced on-site car parking on neighbouring streets and associated traffic management.
- The impact on the amenity of existing dwellings and proposed amenity for future residents.